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SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES

Forty-seventh session

SUMMARY RECORD OF THE 7th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 4 August 1995, at 10.00 a.m.

Chairman: Mr. MAXIM

later: Mr. HAKIM

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GE.95-13237 (E)

The meeting was called to order at 10.10 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII) (agenda item 6) (continued)
(E/CN.4/Sub.2/1995/8 and 41; E/CN.4/Sub.2/1995/NGO/3 and 11; E/CN.4/1995/55)

Situation in the Krajina region of the former Yugoslavia

1. Mr. CHERNICHENKO, supported by Mr. ALI KHAN, said that he wished to draw the Sub-Commission's attention to reports just received according to which Croatian forces had opened fire on the town of Knin. He proposed that the Sub-Commission should consider sending an urgent message, possibly in the form of a telegram, to the Croatian authorities calling on them to halt what amounted to a serious escalation in the conflict in the former Yugoslavia which would inevitably lead to massive violations of human rights.

2. Mr. YIMER said that he was opposed to such action. It would be appropriate for the Sub-Commission to intervene only if serious human rights violations could be shown to have taken place.

3. Mrs. PALLEY said that she, too, had reservations about taking immediate action. The proposal appeared to ignore the legitimacy of the Croatian Government's desire to restore its sovereignty over areas seized by rebel forces. Furthermore, it might leave the Sub-Commission open to charges of inconsistency and bias, given that it had not reacted to previous actions by Croatian Serb forces or to the terrible events in Dubrovnik some years previously.

4. Mr. EIDE said that the present developments were part of a pattern of violation of the territorial integrity of republics in the former Yugoslavia. The situation was complex and it would be inappropriate for the Sub-Commission to intervene.

5. Mr. KHALIFA said that the Sub-Commission could not act solely on the basis of press reports. The Sub-Commission had already condemned human rights violations in the territory of the former Yugoslavia, and it would be more appropriate for the Security Council to take action if the latest developments threatened world peace.

6. Mr. CHERNICHENKO said that he was concerned with the humanitarian aspects of the situation, which came within the Sub-Commission's mandate.

7. Ms. DAES suggested that the Sub-Commission should postpone any action until the precise nature of the alleged escalation had been clarified. She knew from her own studies that grave violations of humanitarian law had taken place on all sides in the conflict and it was very important that the Sub-Commission should react impartially and in a transparent manner to violations committed by all the parties involved and refrain from interfering in matters of territorial integrity.

8. Mrs. WARZAZI, supported by Mr. JOINET, said that it would be wrong for the Sub-Commission to intervene in a matter which appeared to involve the legitimate desire of a State to recover lost territory.

9. The CHAIRMAN noted that there did not appear to be a consensus in favour of immediate intervention. He therefore invited the Sub-Commission to continue its deliberations on the agenda item under discussion.

10. Mrs. PALLEY said that, before it became part of accepted mythology that she had selected only developing world countries for mention in her statement the previous day, she would like to place on record that the basis on which she had mentioned the names of States had been that the various thematic mechanisms, country mechanisms and other human rights monitoring bodies, including the Commission, had mentioned failures by the States concerned, in a greater or lesser degree, to cooperate with the mechanisms or had apparently been responsible for the absence of procedures on serious failures in investigating serious human rights violations.

11. Her sources had been the following: the report by the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/1995/61), the report of the Special Rapporteur on torture (E/CN.4/1995/34), the report of the Working Group on enforced or involuntary disappearances (E/CN.4/1995/36), the report of the Special Rapporteur on promotion and protection of the right to freedom of opinion and expression (E/CN.4/1995/32), the joint report of the Special Rapporteur on the question of torture and the Special Rapporteur on extrajudicial, summary or arbitrary executions on their visit to the Republic of Colombia (E/CN.4/1995/111), the report by the Special Rapporteur on the elimination of all forms of intolerance and of discrimination based on religion or belief (E/CN.4/1995/91). She had taken into account the resolution of the Commission on Human Rights in which it had drawn attention to the fact that certain countries had not cooperated with country rapporteurs. She had also consulted the report of the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/1995/42) and the special report of the Rapporteur on extrajudicial, summary or arbitrary executions on his mission to Indonesia (E/CN.4/1995/61/Add.1). She had in addition looked at the latest report of the Committee on the Elimination of Racial Discrimination (A/49/18).

12. If she had not mentioned developed countries it had been because they had wisely observed the need to cooperate with the mechanisms. If the United Kingdom had not cooperated, she would certainly have mentioned that fact. She had however referred to the States of the former Yugoslavia which could not be regarded as underdeveloped countries. She wished to add that the views she had expressed on many occasions as an independent expert had caused problems for her with three United Kingdom Government Departments. The Foreign Office in particular had complained of difficulties with other countries which had not realized that she was independent.

13. Another bit of mythology mentioned by the observer for India was that she was attacking States politically. If mentioning the name of a State or States and what the Special Rapporteur had said and what allegations were made was political, then it absolutely proved her point that the Sub-Commission was incompetent to pronounce on violations by States and that such issues would

actually be better handled on a Government-to-Government basis in the Commission and the Sub-Commission should not consider the item at all.

14. As for unfairness, she was absolutely even-handed as between competing States. She wished to repeat that the two great States of the Indian sub-continent had equal deficiencies in practice in securing the observance, as was their duty, of human rights.

15. Mrs. MARKIDES (Observer for the Republic of Cyprus) said that her country was a tragic example of the numerous human rights violations which continued to take place worldwide. The Government of Turkey still refused to withdraw its occupying forces and settlers 21 years after the invasion and continued to prevent the return of about 200,000 Greek Cypriots who had been driven out by the occupying forces. It also continued with its policy of transplanting Turkish settlers to the area in an effort to change the demographic balance of the island. According to Turkish Cypriot sources, Turkish settlers now numbered about 100,000 and, together with the 35,000 Turkish soldiers, outnumbered the Turkish Cypriots.

16. The Government of Turkey also refused to cooperate in solving the problem of 1,619 missing persons and thus helped to prolong the anguish of the families involved.

17. Furthermore, the Turkish authorities, in contravention of the Vienna Agreement signed by the two sides in August 1975 concerning the living conditions of the enclaved persons and in defiance of numerous United Nations resolutions, were implementing a policy of "ethnic cleansing" whereby the few remaining Greek Cypriots were subjected to harassment, intimidation and ill-treatment in an effort to drive them from their homes. Of the estimated 22,000 Greek Cypriots in the Turkish-occupied area in September 1974, only 500 remained there today. The ancient cultural heritage of the region had also suffered the effects of the occupation, and the plundering and destruction of churches and archaeological sites continued unabated.

18. In a number of resolutions, and in particular resolution 1987/19, the Sub-Commission had demanded the full restoration of human rights to the entire population of Cyprus, including freedom of movement, the freedom of settlement and the right to property. It had also expressed its concern regarding the fate of the missing persons and described the policy of bringing in Turkish settlers as a form of colonialism. The Sub-Commission was also well aware of the findings of the European Commission of Human Rights which had found Turkey to be responsible for systematic and serious violations of the human rights of Greek Cypriots on the grounds of their ethnic origin, race and religion. Furthermore, the European Commission in its 1992 report on the third inter-State application had found that Turkey was practising racial discrimination against the Greek Cypriot community.

19. Turkish Cypriots had also been victims of the Turkish occupation. Thousands of Turkish Cypriots had been forced by the poverty and oppression in the occupied area to emigrate. The concerns of the Turkish Cypriot community had been eloquently expressed by Mr. Mustafa Akinci, a Turkish Cypriot leader, who had publicly stated that the Turkish Cypriot people was being wiped out.

20. The Government of the Republic of Cyprus would spare no effort to put an end to the unacceptable status quo in Cyprus. Although the continued occupation had faded from public attention, the principles involved remained as important as ever. It was imperative that the international community accord the problem the significance it merited and use its influence to ensure that the relevant United Nations resolutions, especially those passed by the Sub-Commission, were implemented. It was to be hoped that the Turkish authorities would then at long last respond positively to the efforts being made for a comprehensive, just and viable solution to the Cyprus problem.

21. Mr. HUSSAIN (Observer for Iraq) said that the members of the Sub-Commission had shown a high awareness of their responsibilities and a profound understanding of legal and humanitarian issues and had contributed greatly to an understanding of human rights problems. His delegation wished once again to draw the attention of the Sub-Commission to the continuing violations of the human rights of the Iraqi people which had resulted from the embargo imposed by the international community. That unprecedented action had caused immense suffering among ordinary people, who were experiencing severe shortages of food and medicines, and violated international humanitarian law. Successive resolutions passed by the Security Council had appeared to be no more than means to purely political ends. The Secretary-General of the United Nations himself had warned that it was vital not to create the impression that sanctions were aimed at causing suffering to the innocent, and yet innocent people were now going hungry and unable to buy the most basic supplies. In view of such a disregard for international humanitarian law, the Sub-Commission had a duty to take effective action to mitigate the embargo's effects.

22. The embargo had not only caused great suffering in a country which had never before known widespread hunger and which had had good health care and education. It had also created conditions in which disorder could flourish, forcing the Government to adopt measures which to the outside world might appear harsh. Under such circumstances, it was often difficult for the authorities, confronted by the need to maintain social stability and prevent anarchy, to strike the right balance and mistakes were sometimes made. The Government of Iraq had recently shown its goodwill by granting an amnesty to political prisoners. It was now time for the international community, particularly those States whose uncompromising stance had created the present difficulties and flew in the face of their public advocacy of human rights, to change their policies. It was a problem which merited the urgent attention of the Sub-Commission.

23. Ms. KAYALI (Observer for the Syrian Arab Republic) recalled that the Syrian Golan had been occupied by Israeli forces for the last 28 years. The occupation itself was a flagrant violation of the human rights of the original inhabitants of the area. The latest report (A/49/511) of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories had given a clear and objective assessment according to which the human rights situation in the occupied territories was still very poor, and had singled out the existence of Israeli settlements and the aggressive conduct of Israeli settlers as a major contributory factor to the tension and instability in the area. The Israeli authorities had adopted a variety of means of driving local

people from their lands, weakening the local economy, undermining the local culture and denying basic freedoms, as a prelude to the total "Judaification" of the area.

24. A recent Economic and Social Council report (E/1995/59) had stated that the Israeli settlements in the occupied territories were illegal and an obstacle along the road to a just, comprehensive and lasting peace in the Middle East. It had also shown that the Israeli settlement programme begun in 1967 continued to the present day, the most recent settlement having been built in August 1994, and that existing settlements were being expanded. That all suggested that the Israeli authorities were less than totally committed to the peace process. In the view of the Syrian Government, all Israeli settlements in the occupied Arab territories should be removed.

25. In various resolutions, the Commission on Human Rights had already deplored the continued violations of human rights in Palestine and the occupied Arab territories, and Israel's persistent disregard for international humanitarian law and the terms of the United Nations Charter. The Security Council, in its resolution 497 (1981), had declared that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and had demanded that Israel should rescind forthwith its decision. The Commission on Human Rights had also called on Israel to halt its attempt to change the urban character, demographic constitution, institutional framework and legal status of the occupied Syrian Golan, and had affirmed that the establishment of illegal Israeli settlements in the territories violated the Geneva Convention relative to the Protection of Civilian Persons in Time of War. A recent Economic and Social Council resolution had also declared that the Israeli settlements were illegal and impeded the social and economic development of the area.

26. The Syrian Arab Republic was a major party to the current peace process and had shown its commitment since the Madrid Conference to achieving a lasting and comprehensive peace in the region, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). It remained committed to that process, and to the principle of "land for peace", which required that Israeli forces be withdrawn to the border of 4 June 1967 and the complete liberation of the occupied Syrian Golan and south Lebanon, in accordance with successive Security Council resolutions. That policy would ultimately enable the Palestinian people to exercise their national and political rights, including the right of self-determination.

27. The Government of Syria hoped that the Sub-Commission would continue to act in accordance with the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, by adopting an unambiguous position against the Israeli occupation and the inhumane treatment of the area's original inhabitants and by calling on Israel to halt further settlement and remove existing settlements in compliance with numerous United Nations resolutions.

28. Mr. ULUÇEVIK ((Observer for Turkey) said that the fiftieth anniversary of the United Nations was being celebrated at a time when, on the one hand, human rights and democracy were playing an increasing role in international

relations and when, on the other hand, the most repugnant human rights violations were taking place in Bosnia and Herzegovina. As a result of the Serbian aggression, genocide and ethnic cleansing were being perpetrated with impunity. The international community could neither halt nor roll back the aggression or seriously alleviate the suffering of the survivors. Mr. Mazowiecki's resignation from his post as Special Rapporteur for the former Yugoslavia represented a revolt of the United Nations human rights system against the ongoing genocide and ethnic cleansing and prompted reflection on what mistakes, deficiencies and shortcomings needed to be made good.

29. Efforts to promote human rights and democracy were sometimes beset by the scourge of terrorism. In Turkey thousands of innocent civilians, most of them of Kurdish origin, had been murdered by terrorists from the Kurdish Workers' Party (PKK). Wherever they occurred, violence and terrorism could and should not be justified in any circumstances and terrorists should not be allowed to use human rights to secure their safety. The encouragement of terrorists, direct or indirect, witting or unwitting, was tantamount to being an accomplice. There was nothing to romanticize in the despicable act of a terrorist, nor anything heroic about it. It was vicious and cowardly.

30. The 1993 World Conference on Human Rights held in Vienna had enabled the international community to identify clearly the indispensable common denominators needed to build pluralistic civil societies. The Conference had confirmed the international community's commitment to secure the full and universal enjoyment of human rights through increased and sustained international cooperation and solidarity. The Vienna Declaration and Programme of Action described terrorism as aiming at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity of States, and destabilizing legitimately constituted Governments. The Turkish Government strongly endorsed the Conference's call to continue taking the necessary steps to prevent and combat terrorism. It also commended the Sub-Commission on its resolution 1993/13, which branded all acts, methods and practices of terrorism in all its forms and manifestations as gross violations of human rights. The General Assembly and the Commission on Human Rights had likewise adopted resolutions confirming the same principles and stressing that terrorism could not be justified in any circumstances. His delegation noted with satisfaction that the Sub-Commission, in its resolution 1994/18, had provided for the preparation of a working paper on the question of terrorism and human rights and looked forward to its completion and circulation.

31. Mr. Hakim took the Chair.

32. Mr. HAIDER (Observer for Pakistan) noted that people fled from places where human rights were being violated to countries where human rights were safeguarded. Pakistan had received refugees from many places, including Bosnia and Herzegovina. For approximately 15 years, it had been host to over 3 million Afghan refugees. The liberation struggle in Afghanistan was over, but Pakistan still had to sustain the 1.2 million Afghan refugees who had remained. Pakistan also had to cope with the legacy of the war in the form of drugs, guns, violence and extremism, which it was fighting within a democratic framework. The entire world community had an interest in helping the present

Government of Pakistan to succeed in its struggle for reason, moderation and democracy. Despite the colossal challenges that it faced as a result of the legacy of the war and of the inherent problems of underdevelopment, the Government of Pakistan was committed to promoting a liberal, moderate, tolerant and progressive society free from exploitation or discrimination of any kind. After more than a decade of dictatorial rule Pakistan was now enjoying the freedoms made possible by democracy, and the Government believed that observance of human rights was an essential element in its strategy to promote balanced economic and social development. In fact, most of the difficulties encountered in the context of human rights arose basically from underdevelopment, poverty, illiteracy and the politics of scarcity which afflicted so many developing countries. For that reason, soon after coming to power in October 1993, the present Government of Pakistan had adopted and implemented a large number of measures to promote and protect human rights, particularly the rights of women, children and minorities. A Human Rights Cell had been established in the Federal Government, a decision had been taken to create a Ministry for Human Rights, a tribunal for disadvantaged persons had been established under a former chief justice of the Supreme Court, and a high-powered committee had been created to review the prison regulations and to improve prisoners' conditions and protect their rights. Several bold steps had been taken to enhance the status of women, including a bill to restore reserved seats for women in the National and Provincial Assemblies and to provide for reserved seats for them in the Senate, the creation of the first women's bank to provide loans on soft terms to women and encourage their participation in business, the establishment of a women's police force and women's police stations, the appointment of women as judges of the high courts, the establishment of family courts presided over by women, the creation of a judicial committee headed by a judge of the Supreme Court to examine and review laws that discriminated against women, and a special scheme for maternal and child welfare. Pakistan was currently hosting a conference of women parliamentarians from the Islamic world, which would make an important contribution to the forthcoming Fourth World Conference on Women in Beijing.

33. In recent months a lot of unreasonable, unwarranted and highly exaggerated propaganda had been directed against Pakistan on the subject of child and bonded labour. That primarily socio-economic problem was to be found in most countries, but Pakistan seemed to have been singled out in a biased campaign obviously designed, not to promote the welfare of its children, but to harm its image and economy. Resolute steps were being taken to root out bonded labour and to prevent the abuse of child labour through measures such as a survey being conducted by the Government of Pakistan in collaboration with the ILO to determine the extent of child labour, agreements with ILO to eliminate bonded labour and prevent the abuse of child labour, a nationwide rehabilitation programme for working children, and the formation of provincial inspection teams to make regular visits to industrial sites and factories in order to monitor working conditions and to check any abuse of child labour and abolish any bonded labour.

34. In Pakistan religious groups other than Muslims represented 3.32 per cent of the total population. They had traditionally lived in an atmosphere of mutual tolerance. The Pakistani Constitution and laws conferred equal status on the followers of all religions and prohibited discrimination on account of

religion, race, caste, colour or creed. It also provided for reserved seats for each of the religious groups in the Houses of Parliament, Provincial Assemblies and local bodies to ensure their due representation. The measures taken to deal with the problems of minorities would be dealt with in a subsequent statement to be made under the relevant agenda item.

35. The situation in Kashmir had two dimensions - political and humanitarian. The support of the civilized world for the solution of the humanitarian problems would always be sought. On the political side, the people of Kashmir had been denied their legitimate and recognized right of self-determination for 48 years and Kashmir was occupied by some 700,000 troops, the largest military concentration anywhere in the world today. Unfortunately the Governments of the world had virtually ignored the massive violations of human rights in Kashmir because, it was said, they did not wish to jeopardize the promise of economic and commercial gains in India. He hoped that the Sub-Commission would respond to the suffering in occupied Kashmir and condemn the violations of fundamental human rights there. The world must enable the Kashmiri people to exercise their right of self-determination in accordance with the relevant Security Council resolutions.

36. The Declaration on Human Rights was "Universal", and the Covenants on Human Rights were "International". Human rights were therefore indivisible and their observance should not be selective. Nevertheless, there was currently a general perception that the world's approach to human rights was in fact selective. Some peoples were actively defended, while others were cynically ignored. Recent events in Bosnia and Herzegovina and the courageous resignation of Mr. Mazowiecki had brought home not only the impotence of the United Nations but also the insensitivity of great nations to human suffering and genocide when it did not affect their interests directly. His Government was very much in favour of strengthening the United Nations and hoped that it would continue to function for a long time after its fiftieth anniversary. However, that would be possible only if the Organization was impartial.

37. Mr. JENIE (Observer for Indonesia) said that Indonesia, like most developing countries, was at a level of development that required giving priority to the realization of the most basic rights of peoples such as the eradication of illiteracy, the alleviation of poverty, the improvement of health and the creation of employment opportunities. However, that did not mean that civil and political rights were neglected. Indonesia fully subscribed to the principle that all rights - civil, political, economic and cultural - must be treated on the same footing.

38. On 26 October 1994 a memorandum of intent between the Indonesian Government and the Centre for Human Rights had been signed in Jakarta at the conclusion of the second two-day national human rights workshop held by the Indonesian National Commission on Human Rights in cooperation with the Centre. During his forthcoming visit to Indonesia, the High Commissioner for Human Rights was expected to discuss further the realization of the memorandum and the launching of the national plan of action. Since its establishment in 1993 the National Commission on Human Rights had proved itself to be a viable promoter of the further enjoyment of human rights in Indonesia. During the first quarter of 1995 alone, the Commission had dealt with 266 complaints involving land and workers' cases as well as human rights abuses.

39. Law and order was particularly necessary because the country had long experienced political and economic instability and social disturbance. While freedom of expression was guaranteed by article 28 of the Constitution, any person who committed an offence or made slanderous statements or was guilty of agitation endangering State security was subject to the penalties provided for in the Penal Code. There was no such thing as absolute freedom of expression, but there was a responsible freedom of expression that everyone should cherish. Acting solely on humanitarian considerations, on 22 June 1995 President Suharto had granted clemency to three political prisoners who had been sentenced to death for their involvement in the abortive Communist coup d'état, in 1965, a sentence which had subsequently been commuted to life imprisonment.

40. The international community had been able to view for itself the positive aspects as well as the constructive changes that had taken place in East Timor through the visits to the province of more and more foreign representatives, journalists, members of parliament and even East Timorese living in Portugal. In addition, the decision of the National Commission on Human Rights to establish a branch office in Dili, East Timor, and the decision of the Government to withdraw two territorial battalions from the province next month should not go unnoticed.

41. His Government rejected the blanket accusations levelled against Indonesia by certain NGOs, which, in order to blacken the reputation of Indonesia before the Sub-Commission, had presented random cases covering, inter alia, freedom of speech, freedom of assembly and treatment of prisoners. As envisaged in the Universal Declaration of Human Rights, there was a possibility of conflict arising between the exercise of human rights on the one hand and public order or national security and the protection of the rights of others on the other. Due process of law was currently being applied in those cases, which did not amount to a pattern of gross violations of human rights. By making such sweeping accusations, the NGOs concerned had finally revealed themselves for what they really were - organizations waging a political campaign against Indonesia under the banner of human rights.

42. Ms. EIVASOVA (Observer for Azerbaijan) said that what was happening in Bosnia and Herzegovina was not so much a civil war as an act of genocide perpetrated by criminal elements against a small people. Over 200,000 innocent civilians, including 75,000 children, had died and more than 2 million had become refugees. After the fall of Srebrenica 3,000 Bosnian males had disappeared without trace. Her Government respected the gesture made by Mr. Mazowiecki, the Special Rapporteur on the Situation of Human Rights in the Territory of the Former Yugoslavia, who had tried to awaken the conscience of the world by his resignation.

43. Azerbaijan had also been subjected to aggression and ethnic cleansing. Some 20 per cent of its territory was under Armenian occupation and more than 1 million persons had become refugees.

44. Over the past 50 years a great effort had been made to avoid any repetition of the horrors of the Second World War. Nevertheless, many human rights violations were taking place, including violations of the right to life. In addition, the permanent members of the Security Council were making

serious mistakes, giving preference to their own narrow interests and leaving small States undefended in the case of aggression. Resolutions were sometimes adopted following appeals made by the victims, but the offences perpetrated went largely unpunished. Those shortcomings should not be overlooked when the achievements of the United Nations were reviewed. In any case, it would be better to ensure that the provisions of previous resolutions were implemented than to adopt further resolutions on the same subjects.

45. Mr. SINGH (Observer for India) said that although India was fully committed to the rule of law and to the cause of human rights, it was determined to ensure that the propagandist use of human rights for promoting political ends did not become an instrument to challenge its secular democratic polity and its commitment to a liberal, pluralistic and open society or to threaten its unity and territorial integrity. What had been said in some of the statements made in the debate on agenda item 6 constituted nothing more than a barrage of baseless propaganda against India. The issue arising in the Indian State of Jammu and Kashmir was simply that of externally sponsored terrorism, of wanton destruction of holy shrines, of hostage-taking involving innocent civilians and foreign tourists, of widespread pillage, of the devastation of the lives and livelihood of people, and of the denial of the basic right of people to life itself by bloodthirsty mercenaries exported by Pakistan, of which the Sub-Commission ought to take note.

46. Since its inception, Pakistan had sought to annex the Indian State of Jammu and Kashmir, using all possible means. It had committed aggression. It had referred to self-determination, although Pakistani leaders had repeatedly made it clear that self-determination implied a predetermination in favour of accession to Pakistan. But it had failed on all counts. The right of self-determination could not be equated with religion, nor Islam with Pakistan's territorial interests. Having exhausted all other avenues, Pakistan had desperately resorted, over the past six years, to the export of terrorism in a proxy war unleashed on the people of Jammu and Kashmir. The Pakistan-sponsored terrorism now sought to deny the people of Jammu and Kashmir the exercise of their basic democratic right through an electoral process.

47. Pakistani representatives spoke of Kashmir in isolation from the broad realities of the subcontinent. The Indian State of Jammu and Kashmir had a population of 3.5 million Muslims out of a total population of around 6 million persons. The total population of Muslims in India was 130 million - more than the population of Pakistan. Their welfare demanded a secular, pluralistic society, which Pakistan had tried to undermine in Jammu and Kashmir in its concern to gain territory. The accession of Jammu and Kashmir to India had not only been legal but had also been endorsed by the popular leaders of the State and reaffirmed by the holding of repeated elections. The "Two Nation" theory had been amply disproved by subsequent events in the subcontinent.

48. Pakistan was clearly not bothered about human rights. Its representative's references to Jammu and Kashmir and criticism of India were based on political motivations, not on humanitarian concern. If Pakistan was committed to human rights, it should stop sponsoring mercenaries and exporting terrorism and put its own house in order.

49. The Indian Constitution protected the human rights of Indian citizens under the rule of law. It also provided the framework for legislation for the protection of minorities and the weaker sections of society. In fact, it specifically provided for affirmative action in favour of those who, for economic and social reasons, might not be in a position to exercise their rights. Statutory commissions had been established to strengthen institutional mechanisms to safeguard the rights of minorities, women and weaker sections of society. A National Human Rights Commission, with an independent status and autonomous monitoring jurisdiction, had been set up. The Government had also set up a National Commission for Minorities, with wide-ranging powers of oversight and monitoring.

50. The Indian Constitution also guaranteed the protection of the rights of religious and linguistic minorities. Members of minority communities took part in all areas of national activity and had enriched India's social fabric and contributed to its progress. India's democratic pluralism was the best safeguard for minority rights. India did not aim at homogeneity, since it was a multi-ethnic, multi-religious and multilingual country proud of its pluralism. India also had the largest number of active NGOs among developing countries. They joined hands with India's free press in heightening public awareness of problems related to human rights. The Government paid due heed to the concerns which they projected in the full confidence that the objectives towards which both the NGOs and the Government were working were fundamentally the same - namely, to strengthen the democratic and secular foundations of Indian society, to speed up and deepen processes of development, and to ensure the widest possible enjoyment of all human rights and fundamental freedoms. International organizations were also working together with the Indian Government in a constructive spirit. In June 1995, ICRC had concluded a Memorandum of Understanding with the Government providing for ICRC access to persons detained in connection with the situation in Jammu and Kashmir.

51. Despite the grave threat posed by terrorism to India's social fabric and territorial integrity, the Government was conscious of the need to prevent any individual aberrations from its democratic norms and from its commitment to promote and preserve the rights of its citizens. The Indian security forces had been instructed to exercise maximum restraint even in the face of deliberate provocation. Instances of indiscipline or abuse of power were not tolerated by the Government. There could be no impunity of any kind for anyone. Guilty persons were proceeded against and punished under the due process of law.

52. The Indian Government was committed to a policy of openness and transparency in the area of human rights. It welcomed visits by political leaders, legislators and journalists from different parts of the world to see for themselves the complexity of the challenges confronting India as a pluralistic and secular democracy. At the invitation of the Government, the High Commissioner for Human Rights had recently visited India, where he had had extensive exchanges with Indian NGOs, human rights activists and political leaders.

53. Reference had been made to the findings of the Danish Physicians for Human Rights, some of whose members had visited Jammu and Kashmir in the

course of a holiday. There they had collected a few photographs and produced a monograph centring around the case of a youth, Mashroof Sultan, of about 20 years of age. Mashroof had been injured in an incident involving the security forces, some of whose members had already been arraigned and were being proceeded against. Despite the fact that Mashroof had fully recovered, the Danish Physicians had insisted on taking him to Denmark, ostensibly for treatment but in actual fact to project the credentials of their organization as a champion of human rights. To their chagrin, once the group had reached Nepal, Mashroof had refused to go along with them and expressed his desire to return to his family. That was hardly surprising, since he had been virtually held against his will in a hotel room. Such was the record of an organization whose findings were being touted as confirmation of torture in Jammu and Kashmir.

54. His delegation deeply regretted the exclusive focus on the human rights situation in developing countries. It fully agreed with Mrs. Palley that the Sub-Commission's time should not be taken up by countries attacking each other, but every time India was attacked on grounds that had nothing to do with human rights his delegation had no choice but to respond appropriately.

Statements equivalent to the exercise of the right of reply

55. Mr. MAJDI (Observer for Morocco) said that certain non-governmental organizations, and in particular CETIM, were traditionally spokesmen for the self-styled Polisario and did no more than read out texts provided by the representatives of the Polisario.

56. The facts were the following. The inhabitants of Western Sahara were citizens like all other Moroccans. If some young delinquents from Laâyoune had been brought to justice, it had not been because they were Saharans. Moreover, H.M. the King had granted pardons to a number of detainees including the Laâyoune delinquents whose sentences had been reduced to one year's imprisonment.

57. The Sahara was not an occupied territory, but a region which continued to participate in the political, economic and social life of the Kingdom in the same way as all other provinces.

58. If the people of the Sahara had not yet been able to exercise their right to self-determination it was because of the manoeuvres employed by Polisario in order to avoid the referendum, knowing that a referendum would go against it. The latest of those manoeuvres was the suspension of Polisario's participation in the registration process. By that manoeuvre the Polisario was trying to bring pressure to bear in order to dictate its own terms and deprive thousands of Moroccan Saharans of their legitimate right to participate in the referendum. Morocco could not submit to such blackmail and remained faithful to its undertakings, including holding the referendum on the planned date.

59. He would also like to ask the organization concerned why it had never bothered to invite the attention of the Sub-Commission to the violations of human rights of thousands of Saharans held in isolation in Polisario camps in inhuman and degrading conditions.

60. He requested the Sub-Commission to do everything possible to raise the state of siege in which those Saharans were held; to request an international investigation under United Nations auspices to verify the conditions in those camps; and to give those persons wishing to return to Morocco the freedom to make that choice.

61. Mr. SHA Zukang (Observer for China) said that in the last few days certain non-governmental organizations had criticized the Chinese Government for no reason and had spread lies about the choice of the reincarnate child Panchen Lama. He wished to answer those allegations.

62. The choice of the Panchen Lama made recently and arbitrarily abroad had been contrary to religious custom; it was therefore null and void. As was well known, the titles of Dalai Lama and Panchen Lama had originally been given by the Central Government of the Ching Dynasty. The Panchen Lama must be chosen in accordance with religious rites from among the candidates, by the drawing of lots. The proclamation of the child chosen must be authorized by the Central Government. That had been the custom over the past 200 years, since 1792, when the Central Government had begun to implement the current system. The Dalai Lama had succeeded to the throne in 1940 with the authorization of the then Central Government. The tenth Panchen Lama had died in 1989 and the Central Government had thereafter devoted special attention to the choice of the new Panchen Lama and had stated that the religious rites must be scrupulously respected and the reincarnate child must be determined by the drawing of lots from a golden urn.

63. The proclamation by the Dalai Lama was therefore contrary to Buddhist practice. The purpose of choosing a reincarnate child was to discover the authentic soul of the living Buddha among the child candidates. The practice of drawing lots according to the rules of Buddhism enjoyed great prestige and was trusted by Tibetan Buddhists because it eliminated the possibility of fraud. Despite traditional rites and without going through any religious procedure, the Dalai Lama had proclaimed a Tibetan child to be Panchen Lama. The Dalai Lama had always insisted that Tibetan cultural traditions should be respected and protected but he himself had violated traditional rites and customs.

64. In conclusion he wished to stress that the Dalai Lama clique and anti-Chinese international forces were prepared to do anything to sabotage the choice of the reincarnate child by creating so-called human rights problems in Tibet. Their aim was to mislead the international community and to slander the Chinese Government with a view to sabotaging national unity and territorial integrity. Their efforts would not be successful.

65. Mr. URRUELA PRADO (Observer for Guatemala) said that his Government was very interested in the work performed by the United Nations Human Rights Verification Mission in Guatemala (MINUGUA). The Mission had expressed appreciation of the support which it had received from the Government as well as the interest shown by the President of the Republic and the Presidential Commission on Human Rights (COPREDEH) in the comments and recommendations which MINUGUA had submitted.

66. The Government of Guatemala wished to stress that there was no policy for the systematic violation of human rights; State policy was to protect and promote human rights and democracy as had been made clear in the agreement of March 1994 between the Government and the Unidad Revolucionaria Nacional Guatemalteca.

67. The Mission had never stated that there were systematic violations of human rights in Guatemala; on the contrary, the document had drawn attention to the progress which had been made between 21 February and 21 May 1995 such as: the absence of complaints regarding freedom of expression and extrajudicial executions or kidnappings related to trade union activities. Moreover, the national police authorities had taken steps to initiate internal investigations into reported participation by its agents in criminal activities and had brought 112 agents involved in such activities to court. In addition, military conscription had been suspended. There had also been progress in the peace negotiating process, an agreement on the identity and rights of indigenous peoples, insistence on respect for human rights in cases of evictions and an undertaking by the Government to refrain from organizing additional self-defence associations. The report had also looked into certain areas where it had not yet been possible to provide adequate protection for human rights; MINUGUA had regarded such cases as resulting from institutional weaknesses. The Government had accordingly provided for enhanced institutional support programmes and activities which would strengthen the rule of law, such as coordination of the system of justice, enhancement of technical, ethical and administrative capability of the legal framework, acceleration of legal process and greater emphasis on the need to respect the law and increase confidence in the resolution of conflicts by peaceful means.

68. The Presidential Commission on Human Rights had also established seven regional offices throughout the country in order to reinforce activities relating to the MINUGUA reports. In Decree No. 48-95 extrajudicial execution and forced disappearance had been included as crimes in the Criminal Code.

69. Mr. Maxim resumed the Chair.

70. Mr. HASSAN (Observer for Sudan) said that the World Federation of Democratic Youth had tried to damage the reputation of Sudan for political reasons which had nothing to do with human rights. The revision of the Law on National Security was aimed at increasing guarantees and was not designed to strengthen government control. Those guarantees stipulated the following principles: an accused was innocent until charged and judged in a fair and regular manner; the person or goods of a detainee must not be prejudiced; detention could not be extended without the authority of a higher jurisdiction; respect for the dignity of the citizen and special treatment for the elderly and for women and children must be observed; humane treatment must be used in bringing an accused to court; and any agent exceeding his authority would be punished. In that connection one security officer had been executed on 18 June 1995, thus proving the effectiveness and impartiality of the judicial authority.

71. The non-governmental organization concerned had tried to distort the facts. The arrest of Sadiq al-Mahdi had not been because of his political opinions, as alleged by the non-governmental organization, but because of his

participation in sabotage and bombings; he had been held in accordance with the law as would be the case elsewhere. An Iranian newspaper had supported the accusations against Sadiq al-Mahdi who had accepted responsibility for the bombings.

72. He deplored that certain organizations continued to pay tribute to the political opposition without taking account of the threats to public security which they represented. Such organizations should make every effort to promote the full protection of human rights rather than covering for saboteurs.

73. Mr. KARIMIAN (Observer for the Islamic Republic of Iran) said that the person who had spoken as the representative of the International Association of Democratic Jurists represented a terrorist, mafia-type Baghdad-based group financed for the purpose of committing terrorist acts within the Islamic Republic of Iran as well as elsewhere in the world. The group took pride in having slaughtered thousands of individuals. Their bloody record was well documented and they were recognized as a terrorist gang by many countries. Recent actions taken by the Governments of Germany and France against the group were good and clear examples in that connection.

74. He would also like to reiterate that, while the participation of non-governmental organizations was welcomed by the Sub-Commission, an NGO, such as the International Association of Democratic Jurists, must take care to ensure that its presence in the Sub-Commission was not abused by terrorists. While many United Nations resolutions and the law of many countries prohibited assistance to terrorists, no non-governmental organization should feel exempt from such a well-established rule.

75. Mr. AL HADDAD (Observer for Bahrain) said that, two days earlier, the representative of a non-governmental organization had referred to his country and had provided distorted information which was not based on reality.

76. In reply he would like to say that the State of Bahrain was well known for the coexistence which existed between a number of different communities which were held together by fraternity. Many original communities had been integrated into a peace-loving society. Civilized communities rejected all terrorism and employed dialogue for the settlement of differences. That did not happen in countries where violence prevailed. He would like to reassert that his Government had a deep belief in the sanctity of human rights and continued to take great steps to achieve its democratic and peaceful objectives within the context of its own sovereignty.

77. Mr. FASEHUN (Observer for Nigeria) said that he wished to address the allegation of impunity made against the Federal Republic of Nigeria by Mrs. Palley. Nigeria was a party to both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. It had continued to be guided by those instruments and had reported periodically to the relevant treaty bodies. Every effort had been made to implement those instruments.

78. The domestic laws of Nigeria had never derogated from the tenets of the Covenants and the country had cooperated fully with human rights mechanisms.

Despite economic difficulties, Nigeria was firmly committed to a viable democracy as had been made clear during the recent constitutional conference. The draft constitution submitted by the conference incorporated elements from the two international Covenants.

79. In terms of specifics, no State agent in Nigeria was immune from prosecution when they violated the rights of Nigerians. Those accused of violating the civil rights of Nigerians were tried according to Nigerian law and had the right to counsel.

80. No country was totally free from human rights violations. He would have wished to see a similar survey of human rights globally, not limited to a few developing countries as in Mrs. Palley's intervention.

81. The most profound right was the right to life and dignity; life without basic human needs such as health, housing, education and food represented life in misery. Only a healthy, educated and well-fed person could make an informed choice. The Government of the Federal Republic of Nigeria was seeking to create the atmosphere for the enjoyment of those basic rights in a united Nigeria and expected the international community to be understanding and supportive.

82. Mrs. PALLEY said that she believed Nigeria had misinterpreted what she had said. She had mentioned a number of States immune from Sub-Commission passage of resolutions even if gross and systematic violations had been alleged, and among those against which there were allegations she had included Nigeria. She had referred to possible problems in Nigeria in connection with the special court set up to try people of the Ogoni ethnic group, and had done so on the basis of the concern expressed by the Commission's Special Rapporteur on extrajudicial, summary or arbitrary executions that such special jurisdictions might not guarantee international fair-trial procedures. The Special Rapporteur had actually criticized Nigeria far more strongly in his report (E/CN.4/1995/61) than she had done, because he had gone on to call upon Nigeria to ensure also that its security forces abided by legal norms regarding the use of force in quelling unrest in the Ogoni areas.

83. She fully expected that a great democracy like Nigeria would soon go back to full democracy.

84. Mrs. ATTAH, observing that a sense of justice prompted her to speak about the situation in her own country, said that a court had indeed been set up and trials were proceeding in the murder of four prominent Ogoni leaders by Ogonis themselves, not by other tribes. It should be noted in that connection that the Special Rapporteur had spoken of "alleged" irregularities.

85. Regarding immunity from the adoption of unfavourable resolutions, she pointed out that countries like the United Kingdom, which had committed far more serious human rights violations in Northern Ireland, had not received any condemnation.

86. Furthermore, the complaint that the Chairman of the Commission's Working Group on Arbitrary Detention had not been invited to visit Nigeria was without foundation, for her Government had been given only five days' notice in which to arrange such a visit.

87. Mr. JOINET said that he wished to clarify that the visit of the Working Group which he headed had been proposed at such short notice only at the insistence of the United Nations High Commissioner for Human Rights.

88. Mrs. PALLEY said that she agreed entirely with Mrs. Attah about the impossibility of arranging a visit on such short notice, but that she had not even known about the Working Group's request and certainly had never brought the matter up in connection with Nigeria.

89. Mr. CURBELO CASTELLANO (Observer for Cuba), referring to Mrs. Palley's comments made on the previous day, said that while agreeing with her that certain countries were immune from condemnation by the Sub-Commission, he believed she had failed in her list to name the worst of the human rights violators, i.e. those States which attacked entire peoples economically or militarily or colonially, blocking their right to development or to protection against such things as child pornography. The only truly immune countries were the self-styled champions of human rights, the developed nations. It was significant that there was no special rapporteur on xenophobia, who could usefully investigate the impunity with which one of those very countries was persecuting its own African-American, Indian, Hispanic and immigrant population. That same country sat as a permanent member on the Security Council and used the Commission on Human Rights for political ends, as it had done in pushing through the draft resolution on the so-called situation of human rights in Cuba.

90. Mrs. Palley had accused Cuba of a lack of cooperation. He wished to clarify that Cuba had cooperated in good faith in a way that could be emulated by many other countries with all mechanisms established by the United Nations that operated non-selectively and, indeed, with all others. Cuba did not, and would not, however, cooperate with mechanisms imposed by the United States, the very country that was trying to starve the Cuban people into submission.

91. Mr. HUSSEIN (Observer for Iraq), referring to Mrs. Palley's comments of the previous day, said that he appreciated the valuable study Mrs. Palley had done on behalf of the Sub-Commission, but that her interventions were known to be political, as were her selective references to certain reports. He asked her whether she did not think that, from a legal standpoint, the conditions in Iraq, which were causing the deaths of thousands of children, women and old people, were a violation of international law; and that the people of Iraq had the same right to food, medical care and life itself as those of other third world countries.

92. In reply to the Islamic Republic of Iran, he wished to point out that the organization referred to as having headquarters in Iraq also had headquarters in a number of Western countries and that a number of its members had been killed in Europe and in Iraq. It would be better for the Islamic Republic of Iran to stop sponsoring terrorist organizations based in that country.

93. Mrs. PALLEY observed that the observer for Iraq was well aware that she believed the effects of the sanctions against his country were improperly hurting the people. Indeed, she had written just that in her own paper (E/CN.4/Sub.2/1994/39) in referring to Iraq the previous year. Likewise, she had supported the resolution on humanitarian standards in Iraq (decision 1994/111).

94. However, the hardships in Iraq had two causes: first, the enforcement of the sanctions, sometimes irresponsibly; and secondly, an internal cause - the Government's decision, in order to make a political point, not to avail itself of the possibility of obtaining basic requirements for the Iraqi people, by refusing to secure funds to be used for that purpose. Both causes were equally to be deplored.

95. Mr. EGUZ (Observer for Turkey) said that he would not waste the Sub-Commission's time by adding to the polemics started by the representative of the Greek-Cypriot community in Cyprus. The Sub-Commission was not the proper forum for a discussion of the Cyprus issue.

96. On the other hand, some non-governmental organizations had made unfounded allegations about his country which he wished to answer. It was untrue that there was any enmity between Turks and Kurds. Kurds occupied high positions in politics, administration and business, and one third of the members of Parliament were Kurdish. Turkey had given humanitarian aid to Kurds in Northern Iraq: in 1993/94, $13 million and in 1995, $12 million. Turkey had no problem with the Kurds or any other ethnic group within its borders. Its struggle was against terrorists, irrespective of their ethnic origin.

97. Mr. CHAHNAZARIAN (Observer for Armenia) said that the first free parliamentary elections in independent Armenia and the adoption of a new Constitution had been hailed by over 300 international observers as a new step forward for democracy in the country.

98. Yet Azerbaijan continued to give a false picture of the war in Nagorny Karabakh. The war, it should be noted, was not between Armenia and Azerbaijan, but between Azerbaijan and Nagorny Karabakh, the parties to the conflict having been identified as such in a document at the latest meeting in 1995 of the Organization for Security and Cooperation in Europe.

99. He was glad that the Azerbaijani delegation had corrected its figures for the total number of refugees, which it now set at 1 million; with a little more effort, it could reach the official figures of 500,000 to 600,000 established by the International Organization for Migration. However, the 350,000 Armenians who were either massacred or expelled from Sumgait and other Azerbaijani cities should also be counted

100. Reviewing the background of the conflict, he recalled that Nagorny Karabakh had been a central Armenian province for 2,000 years, whereas Azerbaijan itself had been founded only in 1918. The Bolsheviks had in 1921 handed it over to Azerbaijan but its population had been fighting for freedom ever since, having voted for independence from Azerbaijan, after the collapse of the Soviet Union, in full accordance with the international norms then in effect. It was the Azerbaijanis who, in response, committed aggression

against the small Republic, through Soviet and other mercenaries. He would submit to the Sub-Commission a brochure containing the message of Tsar Paul I of Russia in 1797, recognizing the rights of the Meliks of Nagorny Karabakh in their native territory. It should be noted, furthermore, that even under the brief Iranian occupation, the population had consistently remained 99.9 per cent homogeneously Armenian.

101. Mr. BOUALEM (Observer for Algeria) said that he welcomed the participation of non-governmental organizations in the work of human rights bodies. He wished, however, to address statements made by the representatives of the International Federation of Human Rights and the Arab Organization for Human Rights. The former had been among the dozen or so participants in a month-long visit to Algiers in July 1995 to meet human rights activists, civilian leaders, political figures and government officials.

102. His Government had, in fact, entered into a dialogue despite charges to the contrary: in January 1994, the National Conference for Dialogue, which had set up non-partisan transitional bodies, had been held. In the circumstances, it was inappropriate to speak of opposition, since his Government was not a partisan administration. The current transitional Government was composed of independent technocrats responsible for implementing the platform adopted by the National Conference for Dialogue, and all were working to prepare for a return to the electoral process. Free and transparent presidential elections would be held before the end of 1995, under the supervision of a national monitoring commission and international observers. The Government had also given many other indications of its readiness to enter into a dialogue with other Algerians, within the framework of respect for the Constitution and the laws of the Republic, observance of human rights values and a rejection of violence. The channels for a dialogue were still open in the hope of consolidating a pluralist, democratic and tolerant society.

103. Mrs. CARRIZOSA de LOPEZ (Observer for Colombia) said that her Government attached the highest importance to cooperation with the United Nations system. The current Administration had taken the initiative in doing so, by inviting thematic special rapporteurs to visit the country to study the different human rights problems, whose existence the Government had fully recognized. To ensure adequate and effective implementation of the Special Rapporteurs' recommendations, the Government had invited them to make regular follow-up visits. To the same end, it had established a ministerial commission to study ways of implementing the recommendations. The United Nations High Commissioner for Human Rights had, at the request of the President, sent a fact-finding mission to make appropriate recommendations for the protection and promotion of human rights in Colombia.

104. Yet it had been charged that none of this had had any significant results. It must be remembered, however, that because of the violence throughout Colombia, results would not be possible in the short term. It was fruitless to dwell on the long-standing violence in the country. The important thing was that the Government, the United Nations technical assistance services and the appropriate non-governmental organizations should work towards the same goal: righting the situation in Colombia and making human rights effective as a means of reconciliation in the country.

105. The fact that a Special Rapporteur produced reports on the situation in the country at the invitation of that country's Government was clear evidence of the Government's determination to cooperate with and rely on the United Nations.

106. Mr. WIDODO (Observer for Indonesia), said that the statement by Portugal on the previous day on the human rights situation in East Timor did not reflect the real situation in the province. It was replete with misrepresentations that made little sense. The Sub-Commission had indeed considered the human rights situation in East Timor in the past, but only to reject the adoption of a draft resolution on the matter.

107. It had been stated that Indonesia had occupied the Territory and annexed it by force on 7 December 1975 in violation of Security Council and General Assembly decisions and of the right to self-determination of the people of East Timor. Yet not a single United Nations resolution mentioned the occupation and annexation by Indonesia in 1975. When Portugal had irresponsibly disclaimed its responsibility as administering Power of the Territory in 1975, resulting in civil war, bloodshed and massive violations of human rights, the people of East Timor had exercised their right to self-determination by deciding in 1976 to be independent through integration with Indonesia, in accordance with their traditional practices and in full compliance with General Assembly resolutions 1514 (XV), 1541 (XV) and 265 (XXV). Since that time East Timor had become an integral and inseparable part of the Republic of Indonesia and the decision was irreversible. Indonesia's acceptance of the wish of the majority of the East Timorese to join it reflected its steadfast commitment to their basic human rights and fundamental freedoms.

108. The Executive Secretary of the Federation of Asian Bishops' Conference in Thailand had written an article in May 1995 arguing the case for East Timor's integration with Indonesia, stating that most reports on incidents or conflicts between the East Timorese people and the Indonesian authorities had been one-sided and politically inspired.

109. The representative of Portugal, among other fabrications, had also implied that there had been religious and ethnic tensions caused by population transfers, leading to violence. That was a complete distortion of the facts. While underdevelopment among the population in Indonesia was a fact of life, the Government did encourage skilled people, mostly Catholics, to move to the province to help the local East Timorese to become self-sustaining.

The meeting rose at 1 p.m.